MYERS BIGEL SIBLEY & SAJOVEC, P.A.

Patent Attorneys

4140 Parklake Avenue, Suite 600, Raleigh, NC 27612

or

P.O. Box 37428 Raleigh, NC 27627 919-854-1400 Facsimile 919-854-1401

RECEIVED
CENTRAL FAX CENTER
NOV 1 2 2004

TELECOPIER TRANSMISSION COVER SHEET

Date:

November 12, 2004

File Number: 9391-2

Telecopier No.:

703-872-9306

Telephone No.:

To:

Commissioner for Patents

Company:

U.S. Patent and Trademark Office

From:

Julie H. Richardson, Esq.

Number of Pages:

98

Return fax to: Rosa Lee

If there is a problem with this transmission, please call (919) 854-1400. Our fax number is (919) 854-1401.

Information Disclosure Statement for:

In re: Helmut Heide et al. Application No.: 10/085,526 Filed: February 26, 2002 Confirmation No.: 1405 Group Art Unit: 1755 Examiner: Karl E. Group

For: Resorbable Bone Replacement and Bone Formation Material

Confidentiality Note

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. THANK YOU.

BEST AVAILABLE COPY

Attorney Docket No. 9391-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

In re: Helmut Heide et al. Application No.: 10/085,526 Filed: February 26, 2002

Confirmation No.: 1405 Group Art Unit: 1755 Examiner: Karl E. Group For: Resorbable Bonc Replacement and Bone Formation Material

NOV 1 2 2004

Date: November 12, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(c)

Sir:

This is an Information Disclosure Statement in accordance with 37 C.F.R. § 1.97(c) and a petition for consideration of an Information Disclosure Statement in accordance with 37 C.F.R. § 1.97(c)(2). The Commissioner is authorized to charge the \$180.00 fee for the petition fee set forth in 37 C.F.R. § 1.17(p) and to charge any additional fee, or credit any refund, to our Deposit Account No. 50-0220.

This Information Disclosure Statement is being filed before a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

Attached is a list of documents on form PTO-1449 together with copies of each identified document.

Respectfully submitted

Registration No. 40,142

Customer No. 20792

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627 Telephone: (919) 854-1400

Facsimile: (919) 854-1401

CERTIFICATION OF FACSIMILE TRANSMISSION

UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via the central facsimile 872-9306 on November 12, 2004.

Substitute form 1449A/PTO		Complete if Known
INFORMATION DISCLOSURE	Application Number Filing Date	10/085,526
STATEMENT BY APPLICANT	First Named Inventor	February 26, 2002 Helmut Heide et al.
(use as many sheets as necessary) Sheet B1	Group Art Unit Examiner Name	3738 Karl E. Group
Sheet B1 of B1	Attorney Docket Number	9391-2

Examiner Cite No. Initials*		U.S. Paten	Document	NAME of Patentes or Applicant of Cited	Date of Publication of Cited
		Number	Kind Code (If known)	Dacument	Document MM-DD-YYYY
	1,	6,383,519		Sapleszko et al.	05-07-2002
	 -	ļ			

Examiner	Cite		Enmiss Betses D	POREIGNE	ATENT DOCUMENTS		-
Initials*	No.	Foreign Patent Document		cument	Name of Patentee or Applicant of Cited	Date of Publication	γ
		Office Number	(if known)	Document	of Cited Documen	1	
	3.	 	DE 3810803A		Germany	10-12-1989	
	3	 -	DE 3123460A		Germany	02-04-1982	-
				- 			
			OTHER	NON DATEN	T) (TPO) (T)		
F	1	T		CHOLLWICH	I LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include r serial, sy			T LITERATURE DOCUMENTS lite of the article (when appropriete), little of the item (b) le-issue number(s), publisher, city and/or county in	ook, magazine, journal.	Ŧ
	1		mposium, catalog, etc.), (PHAL LETTERS), (Date, page(s), volun	I LIERATURE DOCUMENTS illie of the article (when appropriate), title of the item (b he-issue number(s), publisher, clty and/or country when ional Application No. PCT/EP 00/ 08382 fil		T
	No.		mposium, catalog, etc.), (PHAL LETTERS), (Date, page(s), volun	Itle of the article (when appropriate), title of the item (blue-issue number(s), publisher, city and/or country who		ī
	No.		mposium, catalog, etc.), (PHAL LETTERS), (Date, page(s), volun	Itle of the article (when appropriate), title of the item (blue-issue number(s), publisher, city and/or country who		T
	No.		mposium, catalog, etc.), (PHAL LETTERS), (Date, page(s), volun	Itle of the article (when appropriate), title of the item (blue-issue number(s), publisher, city and/or country who		ī
	No.		mposium, catalog, etc.), (PHAL LETTERS), (Date, page(s), volun	Itle of the article (when appropriate), title of the item (blue-issue number(s), publisher, city and/or country who		T

Examiner Signature	Date Considered	
*EVALUATED LINE I		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the	e items checked:
☐ BLACK BORDERS	
☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES	
☐ FADED TEXT OR DRAWING	
☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING	
☐ SKEWED/SLANTED IMAGES	1 2.244
COLOR OR BLACK AND WHITE PHOTOGRAPHS	
GRAY SCALE DOCUMENTS	
☐ LINES OR MARKS ON ORIGINAL DOCUMENT	FOUNDS ON MAY
☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE PO	OR QUALITY
□ OTHER:	Corner,

As rescanning these documents will not correct the image ing problems checked, please do not report these problems to the IFW Image Problem Mailbox.